

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JESSE BARNES,

Plaintiff,

v.

SHELL EXPLORATION AND  
PRODUCTION COMPANY  
APPALACHIA, *et al.*,

Defendants.

No. 4:18-CV-01497

(Judge Brann)

**ORDER**

**AND NOW**, this 25<sup>th</sup> day of May 2021, in accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Shell's motion for summary judgment (Doc. 97) is **GRANTED IN PART AND DENIED IN PART**, as follows:
  - a. The motion is granted as to discrimination based on Plaintiff's reassignment to a new position. Plaintiff's claim for discrimination survives insofar as it is based on her negative performance review.
  - b. The motion is granted as to retaliation based on Plaintiff's reassignment to a new position. Plaintiff's claim for retaliation survives insofar as it is based on her negative performance review or Shell's failure to promote her.

- c. The motion is denied as to Plaintiff's hostile work environment claim.
  - d. The motion is denied as to Plaintiff's retaliatory hostile work environment claim.
  - e. These rulings apply equally to Plaintiff's claims under both Title VII and the PHRA.
2. A telephonic conference call with counsel of record will be scheduled by separate Order.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann  
United States District Judge